

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 JEFFREY M. PHILLIPS
Deputy Attorney General
4 State Bar No. 154990
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-6292
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013-604

12 **CARRIE JO WILLIAMS, AKA**
13 **CARRIE J. WILLIAMS**
745 N. Arizona Estates Loop
14 Tucson, Arizona 85748

A C C U S A T I O N

15 **Registered Nurse License No. RN 706213**

16 Respondent.

17
18 Louise R. Bailey, M.Ed., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive
21 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about July 3, 2007, the Board issued Registered Nurse License Number 706213
24 to Carrie Jo Williams, also known as Carrie J. Williams ("Respondent"). The Registered Nurse
25 License was in full force and effect at all times relevant to the charges brought herein and will
26 expire on July 31, 2013, unless renewed.

27 ///

28 ///

JURISDICTION

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

5. Code section 118, subdivision (b), provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued, or reinstated.

STATUTORY PROVISIONS

6. Code section 2761 provides, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

///

///

///

///

1 **CAUSE FOR DISCIPLINE**

2 **(Out-of-State Discipline)**

3 8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4),
4 on the grounds of unprofessional conduct, in that on or about August 12, 2011, the State of
5 Colorado Board of Nursing, in a disciplinary proceeding against Carrie J. Williams, RN License
6 Number: 108456, Case Number 2011-004491, issued to Respondent a *Letter of Admonition*
7 (attached hereto as **Exhibit A** and incorporated herein by reference). The basis of said discipline
8 is that on or about May 2, 2011, Respondent submitted a urine sample that tested positive for
9 controlled substances, including, amphetamine, oxycodone and other opiates, which were not
10 prescribed to her.

11 **PRAYER**

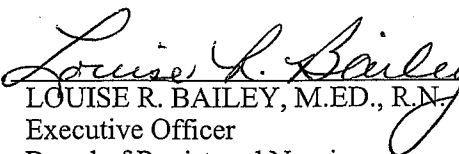
12 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking or suspending Registered Nurse License Number 706213, issued to
15 Carrie Jo Williams, also known as Carrie J. Williams;

16 2. Ordering Carrie Jo Williams, also known as Carrie J. Williams, to pay the Board of
17 Registered Nursing the reasonable costs of the investigation and enforcement of this case,
18 pursuant to Code section 125.3; and,

19 3. Taking such other and further action as deemed necessary and proper.

20
21 DATED: JANUARY 31, 2013


LOUISE R. BAILEY, M.ED., R.N.
Executive Officer
Board of Registered Nursing
State of California
Complainant

22
23
24
25 SA2012107798
10991920.doc

EXHIBIT A

Letter of Admonition dated August 12, 2011

Carrie J. Williams, RN License Number: 108456, Case Number 2011-004491

State of Colorado Board of Nursing



Dora
Department of Regulatory Agencies

Division of Registrations
Rosemary McCool
Director

State Board of Nursing
Kennetha Julien
Program Director

John W. Hickenlooper
Governor

Barbara J. Kelley
Executive
Director

VIA CERTIFIED MAIL

August 12, 2011

Carrie J. Williams, RN, LPN, CNA



I do hereby certify the
foregoing to be a true copy
of the document which
is on file or is of record
in my office

Brandy VanHorn
Authorized Signature
9/16/11

Re: RN License Number: 108456
Case Number: 2011-004491

Dear Ms. Williams:

At the July 26, 2011 meeting, Inquiry Panel A of the State Board of Nursing ("Board") considered your actions while applying for employment as a professional nurse on or about May 2, 2011. The Board determined that its investigation discloses an instance of misconduct that does not warrant formal action, but that should not be dismissed as being without merit. In accordance with section 12-38-116.5(3)(c)(IV) C.R.S., the Board directed that this Letter of Admonition be sent to you based on your conduct in this matter.

The Board's investigation indicates that on May 2, 2011, you submitted a urine sample for testing for pre-employment screening. The results were positive for amphetamine, opiates, and oxycodone. The Board notes that you have a current prescription for Adderall. You admit that you took Percocet and Vicoprofen that was prescribed to your husband. Abuse of habit-forming drugs or controlled substances and self-administering medication not prescribed for you are violations of the Nurse Practice Act. The use of any controlled medication for pain management may affect a nurse's ability to practice nursing with reasonable skill and safety.

The Board determined that your conduct in this matter was in violation of the Nurse Practice Act, specifically section 12-38-117(1) (i) and (p) C.R.S., which state as follows:

"12-38-117. Grounds for discipline. (1) 'Grounds for discipline', as used in this article means any action by any person who:

(i) Excessively uses or abuses alcohol, habit-forming drugs, controlled substances, as defined in section 12-22-303, or other drugs having similar effects, or is diverting controlled substances, as defined in section 12-22-303, or other drugs having similar effects from the licensee's place of employment; except that the board has the discretion not to discipline the licensee if such licensee is participating in good faith in a program approved by the board designed to end such excessive use or abuse;

1560 Broadway, Suite 1350
Fax 303.894.2821

Denver, Colorado 80202
www.dora.state.co.us

Phone 303.894.2430
V/TDD 711



(p) Has prescribed, distributed, or given to himself or herself or a family member any controlled substance as defined in part 2 of article 18 of title 18, C.R.S., or as contained in schedule II of 21 U.S.C. sec. 812."

The Board, by this letter, admonishes you for your conduct in this matter. Any complaint disclosing a repetition of such conduct or any other violation of the Nurse Practice Act, specifically section 12-38-117(1) C.R.S., may lead to more serious discipline.

You are advised that this letter is in lieu of a formal hearing. Since additional investigation would occur, a formal hearing could result in more severe sanctions against your nursing license. You are advised, however, that you have a right under section 12-38-116.5(3)(c)(IV) C.R.S., to make a written request, within twenty (20) days after receipt of this letter, that formal disciplinary proceedings be initiated against you to adjudicate the propriety of the conduct upon which the Letter of Admonition is based. If such request is timely made, the Letter of Admonition shall be deemed vacated, and the matter shall be processed by means of a formal disciplinary proceeding pursuant to section 12-38-116.5(4) C.R.S.

A Letter of Admonition, when accepted, becomes a permanent, public portion of your record. It is not, however, a restriction on your practice as a professional nurse.

FOR THE STATE BOARD OF NURSING, INQUIRY PANEL A



Terrie Miller
Enforcement Manager

TM/ak